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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,138	11/15/2001	Stefan Kemper	10008052-1	6008

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/003,138

Applicant(s)

KEMPER, STEFAN

Examiner

Kaveh Abrishamkar

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 25, 2005 has been entered.

2. Claims 1-20 are currently being considered.

### ***Response to Arguments***

3. Applicant's arguments filed November 25, 2005 have been fully considered but they are not persuasive for the following reasons:

Regarding amended independent claim 1, the applicant argues that the CPA, Henry et al. (U.S. Patent No. 6,856,800), does not teach the newly added limitations of "granting previously authorized non-controlling access" and "granting access to new activities and control parameters on the computer device if remote authentication is successful." Applicant points to paragraphs 20,21, and 31 of the U.S. Patent Publication (US 2003/0093690 A1) of the application. However, there is not mention or definition of "non-controlling" access in the specification, and the broadest reasonable interpretation has been applied to this claim in light of the lack of support for the term.

Furthermore, the Applicant argues that CPA does not teach “granting access to new activities and control parameters if remote authentication is successful.” The support for this limitation, as stated by the Applicant, is in paragraphs 20-21, and 31. However, in these passages, the invention states that “if access has already been granted at step 110, then a successful remote authentication will continue that access before returning to step 102 where the system 1 continues working on the authorized activity” (paragraph 0031). The Examiner interprets this as allowing the user to continue performing tasks on the network, and not as giving the user access to previously forbidden tasks. Based on this interpretation and the specification, it is asserted that the CPA does teach “granting access to new activities and control parameters if remote authentication is successful” when the CPA states, that “the AP 202 locally validates the certificate and will grant temporary access to the mobile host 200 while querying the home AAA server 204 to determine if the certificate has been revoked before it expires” (column 3 lines 19-23). If this authentication is successful, the client is allowed to continue sending and receiving packets.

Therefore, the rejection is maintained and applied to the new limitations as given below along with any new grounds of rejection.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The newly added limitations include "granting previously authorized non-controlling access." There is not sufficient information in the specification to support what is meant by "non-controlling access" and the term is not explicitly mentioned in any passage in the specification. For the purposes of examination, the broadest reasonable interpretation is given to the limitation, and the "non-controlling access" is interpreted as being access limited in some way.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1 – 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Henry et al. (U.S. Patent No. 6,856,800).

Regarding claim 1, Henry discloses:

A secure computer device, comprising:

***“means for locally-authenticating a user of the device”*** (column 2 lines 12-39, column 3 lines 1-9, column 4 lines 3-24), wherein an access point receives an authentication credential from a network device (secure computer device) and can locally authenticate the user;

***“means for providing granting previously authorized non-controlling access to the device if the user is locally authenticated”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“means for generating a remote authentication request after a successful local authentication of the user”*** (column 3 lines 6-9, column 4 lines 27-30), wherein after the local authentication of the user, the access point forwards the submitted credentials to a remote AAA server, which then performs the entire authentication process; and

***“means for granting access to new activities and control parameters on the computer device if remote authentication is successful”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access.

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 1, further comprising “**means for authorizing the user in response to the successful local authentication**” (column 3 lines 1-9), wherein the access point can locally authenticate a user and then grant temporary access to the user immediately after the successful completion of the local authentication process.

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Henry discloses:

The device recited in claim 2, further comprising “**means for withdrawing the authorization in response to a reply from the server**” (column 3 lines 7-9, column 5 lines 4-17), wherein the remote server determines if the credentials are valid, and if the credentials are determined to be invalid, a message is sent to the access point which terminates the user’s temporary access.

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 1 further comprising “**means for updating the local authenticating means in response to a reply from the server**” (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Claim 5 is rejected as applied above in rejecting claim 2. Furthermore, Henry discloses:

The device recited in claim 2 further comprising “**means for updating the local authenticating means in response to a reply from the server**” (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Henry discloses:

The device recited in claim 3 further comprising "***means for updating the local authenticating means in response to a reply from the server***" (column 3 lines 27-32), wherein the local database is updated with the revocation information.

6. Claims 7 – 12 are method claims analogous to the apparatus claims 1-6 rejected above, and therefore, are rejected following the same reasoning.

7. Claims 13 – 18 are computer-readable medium claims analogous to the apparatus claims 1-6 rejected above, and therefore, are rejected following the same reasoning.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



8. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henry et al. (U.S. Patent No. 6,856,800) in view of Hosein et al. (U.S. Patent No. 6,430,694).

Regarding claim 19, Henry discloses:

***“a client having a client database for locally-authenticating a user”*** (column 2 lines 12-39, column 3 lines 1-9, column 4 lines 3-24), wherein an access point receives an authentication credential from a network device (secure computer device) and can locally authenticate the user;

***“an authentication device that grants previously authorized non-controlling access if the user is locally authenticated”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“a server, in communication with the client, having a server database for remotely-authenticating the use in response to a request from the client after a successful local authentication”*** (column 3 lines 6-9, column 4 lines 27-30), wherein after the local authentication of the user, the access point forwards the submitted credentials to a remote AAA server, which then performs the entire authentication process;

***“wherein the authentication device grants access to new activities and control parameters on the computer device if remote authentication is successful”*** (Figure 4 item 404, column 3 lines 5-33), wherein the restricted temporary

access is restricted in terms of limited valid time span, until a remote authentication is sent and can give full access;

***“means for updating the client database according to the results of the local and remote authentication”*** (column 3 lines 27-32), wherein the local database is updated with the revocation information.

Henry does not explicitly disclose ***“means for limiting a number of times that a particular client database and/or record in any, or all, of the client databases will be updated during any period of time and/or total number of updates”***. However, Hosein discloses a database system, which is modified to include the ability to limit the number of data updates, which may be outstanding to the plurality of distributed databases during any particular period of time (column 2 lines 59-67). Henry and Hosein are analogous arts in that both utilize database systems. Hosein uses a modified database system, which can be implemented on any database to limit the number of data updates, which may be outstanding to the plurality of distributed databases during any particular period of time. This would have been obvious to modify the database system of Henry to limit the number of updates in order to avoid the possibility of having databases not being synchronized. This would be disadvantageous in the system of Henry, because it would be beneficial to have all the local authentication clients (access points) to be synchronized with each other, so that a user that is being authenticated at one access point would receive the same authentication at another access point at approximately the same time (column 2 lines 43-55).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the database system of Henry to include the maximum number of outstanding updates, so that the local authentication databases of the local authenticating clients would be synchronized.

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Henry discloses:

The secure computer system recited in claim 19, further comprising:

***"means for authorizing a user in response to a successful local authentication"*** (column 3 lines 1-9), wherein the access point can locally authenticate a user and then grant temporary access to the user immediately after the successful completion of the local authentication process; and

***"means for withdrawing the authorization in response to an unsuccessful remote authentication"*** (column 3 lines 7-9, column 5 lines 4-17), wherein the remote server determines if the credentials are valid, and if the credentials are determined to be invalid, a message is sent to the access point which terminates the user's temporary access.

**Conclusion**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3786. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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8/16/05

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